

U.S. DEPARTMENT OF INTERIOR, FISH AND WILDLIFE SERVICE

RECORD OF DECISION

**SOUTH TONGUE POINT LAND EXCHANGE AND  
MARINE INDUSTRIAL PARK DEVELOPMENT PROJECT  
CLATSOP COUNTY, OREGON**

This Record of Decision (ROD) has been developed by the U.S. Fish and Wildlife Service (Service) in compliance with the agency decision-making requirements of the National Environmental Policy Act (NEPA) of 1969, as amended. The purpose of this ROD is to document the decision of the Service for the selection of an alternative for implementing the South Tongue Point Land Exchange and Marine Industrial Park Development Project (Project). Alternatives have been fully described and evaluated in the May 1994, Final Environmental Impact Statement (EIS) for the Project.

This ROD is designed to: a) state the Service's decision, present the rationale for its selection, and portray its implementation; b) identify the alternatives considered in reaching the decision; and c) state whether all means to avoid or minimize environmental harm from implementation of the selected alternative have been adopted (40 CFR 1505.2).

Based upon the review of the alternatives and their environmental consequences described in the Final EIS for the Project, the decision of the Service is to implement Alternative A, the Preferred Alternative. The selected action entails the transfer of lands under Federal administration for lands under Oregon State administration. Former State lands will be conveyed to the Service as Lewis and Clark National Wildlife Refuge (Refuge). The State of Oregon will sponsor the development of a marine industrial park by on the former Federal lands.

Timing of implementation of various components of the project will occur based on funding and the availability of personnel and other resources. The Project's land exchange component is expected to enhance habitat and wildlife protection on the Refuge. The Project's development component is expected to create real property assets and associated income for the Common School Fund of the State of Oregon, encourage new industrial employment within the South Tongue Point area

For further information, please contact: Ben Harrison, U.S. Fish and Wildlife Service, 911 NE 11th Avenue, Portland, Oregon 97232-4181, telephone: (503) 231-2231.

## PROJECT DESCRIPTION

The U.S. General Services Administration (GSA) is proposing to convey approximately 130 acres of upland and submerged lands administered by the U.S. Army Corps of Engineers (Corps) to the Division of State Lands (Division), an agency of the State of Oregon. In exchange for the Federal land, the Division is proposing to convey approximately 3,930 acres of State-owned land within the administrative boundary of the Refuge to GSA, which will in turn transfer those lands to the Service..

Under the proposed land exchange, the Service would gain fee title ownership to certain lands within the administrative boundary of the Refuge which would provide a more substantial and durable means of protecting wildlife resources from incompatible uses. Other State administered lands within the Refuge will be managed by the Service under a long-term cooperative management agreement with the Division. The Division has proposed to develop a multi-tenant marine industrial park on the property conveyed to it.

## KEY ISSUES

Through public scoping and with input from various agencies and publics, key issues were identified. These focused on the following subject areas: 1) certain aspects of the physical environment, especially the potential for hazardous materials to be released from local sediments; 2) certain aspects of the biological environment, especially wetlands and threatened and endangered species; and 3) certain aspects of the cultural and social environment, especially the local and regional economy. These factors were also examined for the State-owned islands proposed as additions to the Refuge. These issues were thoroughly examined in the Draft and Final EIS.

## ALTERNATIVES

More than 20 alternatives were considered before limiting the alternatives to be advanced for further study. Alternatives considered but not advanced for detailed analysis included alternative development concepts, alternative sites, and single versus multi-tenant developments. Alternatives advanced for detailed analysis include (A) the proposed land exchange and development of a multi-tenant marine industrial development; (B) the proposed land exchange and multi-tenant marine industrial development with connecting road to North Tongue Point; and (C) a No Action Alternative. Adverse and beneficial impacts of each alternative are considered.

### Alternative A

Alternative A comprises two elements: (1) the land exchange, and (2) the multi-tenant marine industrial development.

(1) Approximately 3,930 acres of State-owned land within the administrative boundary of

the Lewis and Clark National Wildlife Refuge would be exchanged through GSA to the

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service for the 130 acres on South Tongue Point. The remaining 950 acres would be managed under a long-term cooperative agreement between the Division and the Service.

(2) Development of the multi-tenant marine industrial site would occur in two phases. Phase 1 would involve site infrastructure developments and construction of marine industrial facilities. Construction would begin in 1994 and occur at a rate supported by market conditions.

#### Alternative B

Alternative B comprises the same two elements as Alternative A with the addition, in Phase 2, of a road connecting South Tongue Point to North Tongue Point. Construction of the connecting road would be dependent upon the need for additional land to support marine industrial development and increased port activities at North Tongue Point.

#### Alternative C

With the No Action Alternative, South Tongue Point would remain in its present undeveloped condition except for the existing Corps Field Station. There would be no land exchange. The No Action Alternative would not have direct adverse impacts to the physical and biological environment. However, the No Action Alternative would not have direct economic benefits from job creation and tax revenues.

### DECISION

The Service's decision is to implement the Preferred Alternative, Alternative A, as it is described in the Final EIS for the South Tongue Point Land Exchange and Marine Industrial Development Project. This decision is based on a thorough review of the alternatives and their environmental consequences.

#### Other Agency Decisions

A Record of Decision will be produced by the Corps. The responsible officials at the Corps will adopt the Final EIS as part of the permit process required by Section 404 of the Clean Water Act.

A Record of Decision will be produced by GSA. The responsible officials at GSA will adopt the EIS in order to comply with National Environmental Policy Act requirements for the disposal and exchange of Federal properties.

### RATIONALE FOR DECISION

The Preferred Alternative has been selected for implementation based on consideration of a number of environmental and social factors. Alternative A has been selected as the preferred alternative because: 1) the land exchange provides the most durable means for protecting wildlife habitats and enhancing wildlife populations; 2) the development component avoids

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significant adverse environmental impacts; and 3) the project will result in significant economic benefits in a economically depressed area.

Alternative A was selected because it balances resource protection with water dependent development. The preferred alternative provides a net benefit for wildlife and benefits for the local economy. The land exchange is the most practical means available to secure and protect additional lands from incompatible uses within the administrative boundary of the Refuge. Migratory bird and resident wildlife populations will benefit from additional secure habitat and be enhanced through wildlife management programs which could not be without fee title ownership. The development component has been carefully designed to minimize adverse environmental effects. Wintering bald eagles will benefit from compensatory measures designed to enhance foraging opportunities. A net gain in wetlands will be realized through successful implementation of mitigation measures.

Implementation of the Preferred Alternative extends the protection of the environmental resources and maintenance of environmental quality beyond what would be achieved under either of the other two alternatives. Alternative B was not selected as the preferred alternative due to the significant impacts expected to resident bald eagles. Alternative C, the No Action Alternative, was not selected as the preferred alternative because, it would not result in the Service increasing habitat protection within the Refuge.

Marvin L. Plenert, Regional Director  
Date 6/20/94

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**Federal Register** Vol. 59, No. 122. Monday, June 27, 1994 /-Notices **3300!**

**Fish and Wildlife Service** and their progeny will be classified as impact statement. The Fish and Wildlife, Service considers that all a nonessential experimental population practicable under Federal rule making requirements. mean to avoid or minimize **Record of Decision; Black-Footed Ferret Reintroduction Conata Basin/Badlands, SD** Other Alternatives Considered environmental impacts that could result from implementation of the preferred Five alternatives, including the plan have been identified and are preferred

**AGENCY:** Fish and Wildlife Service preferred alternative, were analyzed in ..... considered acceptable.

**ACTION:** Notice. the final environmental impact Decision

**SUMMARY:** Pursuant to regulations\* statement. All action alternatives

promulgated by the Council on propose to reintroduce black-footed Environmental Quality (40 CFR 1505.2) ferrets as a nonessential experimental accept the proposed action to release and the implementing procedure of the population. The alternatives included: captive reared black-footed ferret\$ into. T

U.S. Fish and Wildlife Service for the Alternative A-Black-footed ferrets the Conata Basin/Badlands area near National Environmental Policy Act of would not be reintroduced into BNP or Wall, South Dakota as described in

BGNG (No Action). Alternative C in the Final Environmental Impact Statement, the Alternative B-Black-footed ferrets

Department of Interior has p and this would be released only in BNP in a Black-Footed Ferret Reintroduction.

record of decision on the *F0* reintroduction area of approximately Conta Basin Badlands. South *Dakota*.

Environmental *Impact Statement*, 25,000 acres which contains about 3,200 After careful evaluation of each

*Black-Footed Ferret* Reintroduction, acres of prairie dog colonies.

alternative and considering the issues of

Conata Basin/Badlands, South *Dakota*. *Alternative D-Reintroduce*

black-- public response; legislative intent;

The record of decision is a concise footed ferrets into a 42,000 acre management objectives; and Cost.

statement of what decisions were made, reintroduction area on BNP and BGNG socioeconomic. and environmental

what alternatives were considered, and with initial releases in BGNG.

The acceptable mitigation measures proposed action developed in order to avoid or minimize Alternative C and contains course of environmental impacts. management of the

This reintroduction effort is an colonies. black-footed ferret. interagency program involving the F\* h Alternative E- Release black-footed Dated: June 21, 1994.

Is and Wildlife Service. National Park feints into a in.000 acre Service. and the Forest Service. Each reintroduction am on BNP and BGNG Robert D. Jacobsen

responsability under the consisting of the entire north unit of the **Acting Regional Director, States region.** Act of 1973. as BNP and the BGNG in the Conata Basin. over threatened and No priority release site is identified in (FR Doc. 94-15478 Filed 6-24-94; 41:45 SMI

endangered species. Each Agency will this initial. The initial black-footed "4 cm 4" O'W-m ferret releases would occur in prepare a separate record of decision to the most cover its respective responsibilities biologically suitable habitat within the under the reintroduction program. reintroduction area.

The Selected Alternative Environmentally Preferable Alternative

The preferred alternative, Alternative The Fish and Wildlife Service C. releases black-footed ferrets (*Mustela* consider Alternative E to be the most environmentally preferred nigripes) as a nonessential experimental The levels of active prairie population into a reintroduction area of would not increase over dog habitat and D. Alternative E provides approximately 42,000 acres (16.997 he) potential risks to the black-footed ferret (BGNG). The initial reintroduction will due to expanded protection measures occur on the BNP. This area contains through the expansion of off-road travel approximately 8,000 acres (3,238 he) of and trapping restriction and possible black-tailed prairie dog colonies. Along-term shooting restrictions to an nonessential experimental population expanded reintroduction area. area of approximately 1,282,200 acres is Alternative C was selected because it delineated within which the legal status prescribes a reintroduction program that

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of the black-footed ferret is chaige compatible with the  
existing  
from endangered to nonessential recreational and agricultural  
land uses  
experimental to allow for greater in the area thereby garnishing  
additional  
management flexibility. AH of the support. It is the Fish and  
Wildlife  
proposed reintroduction area is public Ser-Ace's assessment  
that the benefits of  
land administered by either the Nationaladditional support outweigh the  
Park Service or the Forest Service.possible benefits of extending land use  
The purpose of the proposed action is restrictions associated with the  
to use experimental techniques to expanded reintroduction area  
of  
reintroduce and establish a free Alternative E.  
cooperatively managed wild population~  
of black-footed ferrets in the Conata minimization of Impacts  
Basin/Badlands experimental Public concerns. potential  
impacts,  
population area near Wall. South and methods to mitigate those  
impacts  
Dakota. The released black-footed ferrets am addressed in the  
final environmental

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REVISED FINDING OF NO SIGNIFICANT IMPACT  
PROPOSED LAND ACQUISITION FOR NATIONAL EDUCATION AND  
TRAINING CENTER  
VICINITY OF HARPER'S FERRY, WEST VIRGINIA

The U.S. Fish and Wildlife Service (Service) is proposing to acquire property near Shepherdstown, West Virginia, for the Service's National Conservation and Training Center (NCTC).

An Environmental Assessment (EA) was prepared which addressed five alternative land acquisition sites and a no-action alternative (copy enclosed). The acquisition of a selected site is an essential first step in meeting the Service's goal to construct a facility that would provide a training center for Service staff and scientists. General considerations were that the site would accommodate a development envelope of at least 250 acres and that the selected site would fully conform with Federal, State, and local plans and requirements.

A notice of availability for the EA and Finding of No Significant Impact (FONSI) was published in the Federal Register on July 9, 1991. At that time, the selected alternative was Site E B Driggs (Quarry) and Springs Run. However, due to the difficulty in remediating minor contamination on the site, the Service has determined that it is not in the best interest of the government to acquire Site E.

The new selected alternative is Site D -- Terrapin Neck. Site D is located approximately three miles north of Shepherdstown, West Virginia. The Potomac River serves as the northern boundary, with Terrapin Neck Road to the east, and Shepherd Grade Road bordering the southwestern sections of the site. The site occupies approximately 525 acres and is comprised of forested land, agricultural land, and open fields.

Site D was selected because it has many of the amenities which would be supportive of the NCTC goal. The picturesque site overlooks the Potomac River Valley and is surrounded by a diversity of habitats. Several 18th and 19th century buildings occur on the site that will be maintained for their historical value. Community acceptance of Site D is anticipated to be good. Except for several debris piles containing minor, former farm related refuse, no other hazardous materials or evidence of other contaminants occur on the property. Although some minor improvements may be needed, the capacity of existing roadways appears adequate. We anticipate no adverse impacts to State or Federal rare, threatened, or endangered species that may occur on the site. The other land acquisition alternatives considered were the Gibson and Capriotti Properties, Cooper Farm, Nalls Property, Driggs (Quarry)/Springs Run, and no-action.

The previous plan to include a public education (habitat) component to the NCTCC has been dropped.

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A small portion of reverie wetlands system is located in the northern part of the site and a small pond occurs near the farm buildings, but all reasonable alternatives were considered in the evaluation of this project. Any project-caused wetland and flood plain impacts will be minor to negligible. The project complies with the provisions of Executive Orders 11988 and 11990.

Based on my review and evaluation of the enclosed Environmental Assessment and other supporting documentation, I have determined that the acquisition of Site D for the Service's National Education and Training Center is not.. a major Federal action which would significantly affect the quality of the. human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969. Accordingly, preparation of an environmental impact statement on the proposed action is not required.

Director  
Acting  
FEB 20  
1992  
Date

Reference:  
Environmental Assessment, dated December 1990

Enclosure

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xhibit

**UNITED STATES FISH AND WILDLIFE SERVICE**  
**ENVIRONMENTAL ACTION STATEMENT**

Within the spirit and intent of the Council on Environmental Quality's regulations for implementing the National Environmental Policy Act (NEPA), and other statutes, orders, and policies that protect fish and wildlife resources, I have established the following administrative record and determined that the action of (describe action):

Check  
One:

is a categorical exclusion as provided by 516 DM 2, Appendix 1 and 516 DM 6, Appendix 1. No further NEPA documentation will therefore be made.

is found not to have significant environmental effects as determined by the attached environmental assessment and finding of no significant impact.

is found to have significant effects and, therefore, further. consideration of this action will require a notice of intent to be published in the Federal Register announcing the decision to prepare an EIS.

is not approved because of unacceptable environmental damage, or violation of Fish and Wildlife Service mandates, policy, regulations, or procedures.

is an emergency action within the context of 40 CFR 1506.11. Only those actions necessary to control the immediate impacts of the emergency will be taken. Other related actions remain subject to NEPA review. Other supporting documents (list): Signature Approval

(1) Originator  
 Environmental Date

Date

(2) WO/RO

Coordinator

(3) AWARD  
 Date

Date

(4) Director/Regional

Director



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